

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

FEB - 5 2025

UNITED STATES OF AMERICA §
§
v. §
§
WILMER ARMANDO XITUMUL-GODINEZ §

BY
DEPUTY

No. 1:25-CR-11

Crone - Stetson

INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 8 U.S.C. § 1326(a) (Unlawful
Reentry by Removed/Deported Alien)

On or about October 27, 2024, **Wilmer Armando Xitumul-Godinez**, defendant, an alien who had previously been deported or removed from the United States to Guatemala on or about September 23, 2024, was found in the Eastern District of Texas, said defendant not having received the express consent of the Attorney General and the Secretary of Homeland Security, the successor, pursuant to United States Code, Title 6, for re-application for admission to the United States.

In violation of 8 U.S.C. § 1326(a).

A TRUE BILL


GRAND JURY FOREPERSON

ABE MCGLOTHIN JR.
ACTING UNITED STATES ATTORNEY


TOMMY L. COLEMAN
Special Assistant United States Attorney

Date

2-5-25

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WILMER ARMANDO XITUMUL-GODINEZ §

NOTICE OF PENALTY

Count One

Violation: Title 8, United States Code, Section 1326(a) [and (b)(1) and (b)(2), if applicable].

Penalty: Not more than two (2) years imprisonment, a fine not to exceed \$250,000.00 or twice the pecuniary gain to the defendant or loss to the victim, or both; and supervised release of not more than one (1) year. *See 8 U.S.C. § 1326(a).*

If the defendant's removal (deportation) was subsequent to a conviction for commission of three or more misdemeanors involving drugs, crimes against the person, or both; or a felony (other than an aggravated felony) - not more than ten (10) years imprisonment, a fine not to exceed \$250,000.00 or twice the pecuniary gain to the defendant or loss to the victim, or both; and, supervised release of not more than three (3) years. *See 8 U.S.C. §§ 1326(a) and (b)(1).*

If the defendant's removal (deportation) was subsequent to a conviction for commission of an aggravated felony - not more than twenty (20) years imprisonment, a fine not to exceed \$250,000.00 or twice the pecuniary gain to the defendant or loss to the victim, or both; and, supervised release of not more than three (3) years. *See 8 U.S.C. §§ 1326(a) and (b)(2).*

Special Assessment: \$100.00